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**CENTRAL ASIAN JOURNAL OF
SOCIAL SCIENCES AND HISTORY**

Journal homepage: www.http://cajssh.centralasianstudies.org/index.php/CAJSSH



The Nature and Legal Assignments of Advocate Activity

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Abstract:

The article analyzes the place and role of the Bar in the system of law enforcement and human rights bodies in society.

ARTICLE INFO

Article history:

Received 27-Apr-22

Received in revised form 28-Apr-22

Accepted 17-May-22

Available online 14-Jun-2022

Keywords: civil society institution, advocacy, law enforcement and human rights activities.

One of the most important institutions of civil society is the legal profession. He is a defender of civil society. This is the only element of the political system of the country, which speaks as an institution of the legislature and civil society. The Decree "On measures to further reform the legal profession in the Republic of Uzbekistan" was adopted, on the basis of which significant changes and additions were made to the Law "On Advocacy". On May 12, 2018, the Decree of the President of the Republic of Uzbekistan "On measures to radically increase the efficiency of the Bar and expand the independence of lawyers" was adopted) [1].

The importance of advocacy in modern society is growing. The complexity of social relations, their diversity and the behavior of both citizens and legal entities require the extensive consultative participation of a qualified lawyer [2]. It is practically impossible to solve problems facing a citizen or legal entity in need of legal assistance without the help of a lawyer. If we take into account the integration of countries and the trend of globalization, it becomes clear that the lawyer is an integral part of modern man.

As an integral part of civil society, the bar solves the following tasks:

1) individuals and legal entities in need of the assistance of a lawyer who perform a function of state importance in the field of justice, not the members of the association themselves, but the protection of

the interests of society. Consequently, the bar has a public legal status as a special tool of civil society; 2) affects the legal culture of the society. A lawyer provides qualified legal assistance to citizens, thereby raising the general legal culture of the population.

Therefore, we agree with the position that the legal profession, expressed in science, is an integral part of the legal culture of the country [3].

The bar, which is not new to our legislation, seems to have been studied in many ways. However, the institution of advocacy is the law enforcement in society, the role of (human rights) in the system of law enforcement agencies is still controversial.

The functional role of law enforcement agencies in a state-organized society depends on the internal nature of the law. This stems from the position of law in society as a regulator of social relations. The state is provided with the power of the coercive apparatus in the process of implementation of legal norms, which represent a system of universally binding, state-guaranteed rules of conduct. "... Nothing without apparatus, which has the power to enforce the rule of law, is nothing" [2, 99]. Long ago, a fair conclusion was reached: the very fact of the existence of the law speaks of the need for indirect and direct coercion and, consequently, the need to enforce the law [3].

Proponents of this view demand that law enforcement be initiated by the state, calling the latter one of the types of state activity.

Bodies carrying out this type of activity have a number of characteristics that a government agency must comply with in order to be considered a law enforcement agency:

- The law enforcement body is authorized to carry out law enforcement activities in accordance with the legislation. As a rule, it is a law on the functions, organization and activities of this body;
- The law enforcement agency carries out its activities not in an arbitrary manner, but in accordance with the rules and procedures established by law. Violation of these rules by law enforcement officers may result in disciplinary, administrative, financial, or criminal liability;
- law enforcement agencies have the right to apply state coercive measures against persons who have committed offenses in the course of their activities. These measures vary depending on the authority of the authority and the gravity of the offense committed;
- Legitimate and reasonable decisions made by law enforcement agencies must be enforced by officials and citizens. Failure to comply with these decisions constitutes an independent offense with additional liability [3].

Law enforcement agencies include the judiciary, prosecutors, law enforcement agencies, pre-trial investigation agencies, justice agencies, customs authorities, security agencies, tax authorities, and others. The main areas of law enforcement are constitutional review, administration of justice, criminal investigation, enforcement of court decisions, search operations, administrative activities, and prosecutorial oversight.

As for the nature of the terminological difference between the concepts of law enforcement and human rights activities in society, the opinions of researchers have often differed [2]. Recently, however, the

terms "legal aid and protection," "law enforcement," and "human rights work" have come to be used interchangeably in the scientific literature. Such an understanding of these concepts is often preferred in relation to the bar.

An analysis of this approach shows that it is not possible to classify advocacy as part of the law;

First of all, the legal profession is legally separated from the system of state and local government (the Law on Advocacy and Advocacy). This is the most important criterion that excludes the subsequent identification of important criteria that would allow the inclusion of advocacy in the field of law enforcement.

In this context, the protection of human rights as an independent type of legal activity should be singled out, defining its criteria, goals and objectives. In addition, its main feature is to define the non-governmental nature of the activity so that advocacy and detective work become a specific "place" for security, and thus clearly distinguish it from law enforcement activities as part of law enforcement agencies carried out by government agencies need to show.

Human rights activities as an important part of law enforcement activities have their own objectives, the composition of the participants in this type of activity, the distribution of their powers, the specifics of the procedural order of their implementation. The concept of protection in the narrow sense (protection) is provided by law and includes measures and means aimed at protecting the legitimate interests of their right holders in the event of their violation or objection to the restoration and recognition of civil rights [2].

Legal protection of the rights, freedoms and legitimate interests of citizens and legal entities is the main link in the whole system of powers, prohibitions and guarantees of a lawyer as a professional subject. Defense is the goal of the bar.

Thus, in defining the breadth of the concept of "law enforcement", the basic conceptual postulates of various scholars are based on the ability to determine the composition of the subject and transfer the body to law enforcement. The chosen methodology seems to be incorrect in terms of the content, purposefulness and functionality of the activity under consideration. The activities of rights, individuals and legal entities in this area are controversial, the inclusion of the function of protection of freedoms and interests in the field of law enforcement is not controversial, but belongs to one of the basic, historically formed, objectively necessary institutions of civil society-specially designed to do [3].

Thus, considering the substantive features of advocacy, it can be described as a type of human rights activity that is simultaneously a direction of law enforcement activity, i.e. in this case private and law enforcement activity o ' There is a general interdependence between them.

REFERENCES

1. <https://www.lex.uz/ru/docs/-54503?ONDATE=21.04.2021> [O'zbekiston Respublikasining Qonuni, 27.12.1996 yildagi 349-I-son], <https://lex.uz/ru/docs/-1347565> [O'zbekiston Respublikasi Prezidentining Farmoni, 01.05.2008 yildagi PF-3993-son].

2. Аделя Ибрагимова Нургалиевна, Исломбек Сабурыззов Кудратович, and Мадинабону Махмуджонова Ахмедова. "Роль литературы в формировании гражданского права" Science and Education, vol. 1, no. 4, 2020, pp. 258-267.
3. Dilduza Xabibullayevna Usmanova, Gulirano Abiddinovna Askarkhujaeva THE ROLE OF THE FAMILY IN SHAPING A CHILD'S PERSONALITY // Scientific progress. 2021. №7. URL: <https://cyberleninka.ru/article/n/the-role-of-the-family-in-shaping-a-child-s-personality> (дата обращения: 02.06.2022).
4. Дилфуза Хабибуллаевна Усманова, Гулирано Абиддиновна Аскархужаева ОИЛАНИНГ ЖАМИЯТДА ТУТГАН ЎРНИ ВА ВАЗИФАЛАРИ // Scientific progress. 2021. №7.
5. Ибрагимова, А., Сабурыззов, И., & Akhmedova, M. (2020). РОЛЬ ЛИТЕРАТУРЫ В ФОРМИРОВАНИИ ГРАЖДАНСКОГО ПРАВА (на основе произведений Джорджа Оруэлла «Скотный двор» и аль Фарабий «Трактат о взглядах жителей добродетельного города»).
6. Qodirov K.M., Rustamov I. (2020). Qanday qilib malakali yuridik yordam kafolatlanadi? // Moskva. Advokatlar Forumi.
7. Malikova N.S., Reznik G.M. Advokatlik fuqarolik jamiyati himoyachisi sifatida. – Moskva: Advokat, 2021.